

### **REMARKS**

Claims 1-3, 6-9 and 11 are now pending in the application. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and rejections / objections to the claims. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **SPECIFICATION**

The specification stands objected to for certain informalities. Applicant has amended the specification according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

### **CLAIM OBJECTIONS**

Claim 1 stands objected to for certain informalities. Applicant has amended the specification according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cacciatore et al. (U.S. Pat. No. 5,950,287) in view of Spater et al. (U.S. Pat. No. 4,697,061). This rejection is respectfully traversed.

Applicant first off would like to point out that the laser welding technique which yields the product in Applicant's invention is not taught, anticipated, nor rendered obvious by either the 287' nor the 061' prior art.

Applicant's laser welding of the pendant creates a hermetic seal of the precious metal in which the pendant is created. This eliminates the need for glues which may contaminate the contents, and has a high probability of breaking down or weakening over time. Furthermore, there is no contaminating solder utilized in manufacturing the pendant, just the precious metal of which the entire pendant is comprised of such as gold or silver is utilized in the laser welded seam.

With specific regard to the 061' patent to Spater et al., U.S. purity standards for gold or silver would not allow the coating of Applicants products with inexpensive metals before welding as taught by 061'. The rim portion of Applicants invention maintains 100% purity without the need for solders or coatings, as well as renders unnecessary the extra manufacturing time/costs of applying them.

In regard to the 287' patent issued to Cacciatore et al. Applicant respectfully points out the lack of a hermetic, permanent seal as taught by the present invention. A permanent seal is critical for preservation of the contents over time, as well as preventing accidental opening. Furthermore, the transparent base appears to be glued into place, a potential source for breakdown or weakening over time.

Applicant has cancelled claims 4 and 5, and amended claim 1 to more particularly point out these aspects which are neither taught, anticipated, nor rendered obvious by either of Examiners cited references. Therefore, in light of the amendments above and comments herein, Applicant believes Claim 1 should now be in condition for

allowance. Furthermore, since claims 2, 3, and 6-9 are dependant upon independent claim 1, and are at least as limiting in scope, they too should also be in condition for allowance.

### CONCLUSION


It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: \_\_\_\_\_

9/15/05

By: \_\_\_\_\_

  
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